

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JAMEL MONROE,

Plaintiff,

v.

9:06-CV-0859
(FJS/DEP)

CORRECTION OFFICER JANES, et al.,

Defendants.

APPEARANCES:

OF COUNSEL:

JAMEL MONROE, c/o Derrick James
Plaintiff, *Pro Se*
268 Beach 17th Street
Far Rockaway, NY 11691

HON. ANDREW M. CUOMO
Attorney General of the State of New York
615 Erie Boulevard West, Suite 102
Syracuse, NY 13204-2455

MARIA MORAN, ESQ.
Assistant Attorney General

FREDERICK J. SCULLIN, JR., S.D.J.:

DECISION AND ORDER

Presently before the Court is Magistrate Judge David E. Peebles' January 14, 2008 Report-Recommendation in which he recommends that defendants' motion for summary judgment be granted; plaintiff's complaint be dismissed in its entirety and that plaintiff's cross-motion for summary judgment be denied. Having reviewed that Report and Recommendation and the entire file in this matter, and no objections to said Report-Recommendation having been filed, the Court hereby

ORDERS that the Report-Recommendation filed by Magistrate Judge David E. Peebles filed January 14, 2008 is, for the reasons stated therein, accepted in its entirety; and the Court further

ORDERS that defendants' motion for summary judgment is **GRANTED**; and the Court further

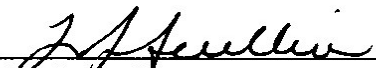
ORDERS that plaintiff's complaint is **DISMISSED** in its entirety, and the Court further

ORDERS that plaintiff's cross-motion for summary judgment is **DENIED**, and the Court further

ORDERS that the Clerk of the Court shall enter judgment in favor of the defendants and close this case.

IT IS SO ORDERED.

Dated: February 21, 2008
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge